



General Assembly

January Session, 2021

Raised Bill No. 6462

LCO No. 3226



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING USE OF FORCE BY A PEACE OFFICER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective March 31, 2021*) Section 29 of public act 20-1 of the
2 July special session general statutes shall take effect October 1, 2022.

3 Sec. 2. Subsection (c) of section 53a-22 of the general statutes, as
4 amended by section 29 of public act 20-1 of the July special session, is
5 repealed and the following is substituted in lieu thereof (*Effective October*
6 *1, 2022*):

7 (c) (1) Except as provided in subsection (d) of this section, a peace
8 officer, special policeman appointed under section 29-18b or authorized
9 official of the Department of Correction or the Board of Pardons and
10 Paroles is justified in using deadly physical force upon another person
11 for the purposes specified in subsection (b) of this section only when his
12 or her actions are objectively reasonable under the circumstances, and:

13 (A) He or she reasonably believes such use to be necessary to defend
14 himself or herself or a third person from the use or imminent use of
15 deadly physical force; or

16 (B) He or she (i) has [exhausted] considered the reasonable
17 alternatives to the use of deadly physical force, (ii) reasonably believes
18 that the force employed creates no [substantial] unreasonable risk of
19 injury to a third party, and (iii) reasonably believes such use of force to
20 be necessary to (I) effect an arrest of a person whom he or she reasonably
21 believes has committed or attempted to commit a felony which involved
22 the infliction of serious physical injury, or (II) prevent the escape from
23 custody of a person whom he or she reasonably believes has committed
24 a felony which involved the infliction of serious physical injury and if,
25 where feasible under this subdivision, he or she has given warning of
26 his or her intent to use deadly physical force.

27 (2) For purposes of evaluating whether actions of a peace officer,
28 special policeman appointed under section 29-18b or authorized official
29 of the Department of Correction or the Board of Pardons and Paroles are
30 reasonable under subdivision (1) of this subsection, factors to be
31 considered include, but are not limited to, whether (A) the person upon
32 whom deadly physical force was used possessed or appeared to possess
33 a deadly weapon or dangerous instrument, (B) the peace officer, special
34 policeman appointed under section 29-18b or authorized official of the
35 Department of Correction or the Board of Pardons and Paroles engaged
36 in reasonable deescalation measures prior to using deadly physical
37 force, and (C) any unreasonable conduct of the peace officer, special
38 policeman appointed under section 29-18b or authorized official of the
39 Department of Correction or the Board of Pardons and Paroles led to an
40 increased risk of an occurrence of the situation that precipitated the use
41 of such force.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>March 31, 2021</i>	New section
Sec. 2	<i>October 1, 2022</i>	53a-22(c)

Statement of Purpose:

To delay changes to provisions concerning use of force by a peace officer enacted as part of public act 20-1 of the July special session and to make certain other changes to said provisions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]